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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/776,499	02/10/2004	Idreas A. Mir	030505	3231

23696 7590 10/26/2005

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EXAMINER

MEHRPOUR, NAGHMEH

ART UNIT	PAPER NUMBER
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2686

DATE MAILED: 10/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/776,499

Applicant(s)

MIR, IDREAS A.

Examiner

Naghmeh Mehrpour

Art Unit

2686

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/30/05</u> . | 6) <input type="checkbox"/> Other: ____. |

Information Disclosure Statement

1. The information disclosure statement filed reference listed in the information Disclosure Submitted on 0803/05 have been considered by the examiner (see attached PTO-1449

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-16, 18-24, are rejected under 35 U.S.C. 102(e) as being anticipated by Lee et al. (US patent Number 20020082020 A1).

Regarding claims 1, 13-14, Lee teaches a wireless device in a wireless communication network (0034), comprising:

a receive data processor operative to receive a first message from the wireless network for reconfiguration of uplink and downlink physical channels for a physical layer (0034);

a controller operative to perform synchronization to establish the downlink physical channels (0042); and

a transmit data processor operative to send a second message to the wireless network indicating completion of the synchronization for the downlink physical channels, and wherein the receive data processor is further operative to receive an indication that the uplink physical channels have been established by the wireless network, and wherein the controller is further operative to delay transmission of signaling and data on the uplink physical channels, except for transmission of designated messages, until the indication is received from the wireless network (0037).

Regarding claim 2, Lee inherently teaches a wireless device of claim 1, wherein the indication is an acknowledgment (ACK) sent by the wireless network in response to successful decoding of the second message by the wireless network (0046).

Regarding claim 3, Lee inherently teaches a wireless device of claim 1, wherein the indication is derived from transmit power control (TPC) commands received from the wireless network (0042).

Regarding claim 4, Lee teaches a wireless device of claim 1, wherein the controller is operative to perform the synchronization starting at an activation time indicated by the first message.

Regarding claim 5, Lee teaches a wireless device of claim 1, wherein the controller is operative to, for the synchronization, direct establishment of chip and frame timing for the downlink

physical channels and initiate transmission of a power control preamble for a predetermined number of radio frames (0036).

Regarding claim 6, Lee teaches a wireless device of claim 1, wherein the synchronization is performed in accordance with a Synchronization procedure A defined by 3rd Generation Partnership Project (3GPP) (0034).

Regarding claim 7, Lee teaches a wireless device of claim 1, wherein the first message is a Radio Bearer Reconfiguration message and the second message is a Radio Bearer Reconfiguration Complete message defined by 3GPP (0034).

Regarding claim 8, Lee teaches a wireless device of claim 1, wherein the first message is a Transport Channel Reconfiguration message and the second message is a Transport Channel Reconfiguration Complete message defined by 3GPP (0039).

Regarding claim 9, Lee teaches a wireless device of claim 1, wherein the first message is a Physical Channel Reconfiguration message and the second message is a Physical Channel Reconfiguration Complete message defined by 3GPP (0062).

Regarding claim 10, Lee teaches a wireless device of claim 1, wherein the designated messages are messages for a Radio Resource Control (RRC) layer (0067).

Regarding claim 11, Lee teaches a wireless device of claim 1, wherein the reconfiguration of the uplink and downlink physical channels is due to a change from a CELL_FACH state to a CELL_DCH state for the wireless device, the CELL_FACH and CELL_DCH states being defined by 3GPP (0068).

Regarding claim 12, Lee teaches a wireless device of claim 1, wherein the reconfiguration of the uplink and downlink physical channels is due to a change in configuration for the wireless device within a CELL_DCH state defined by 3GPP (0039).

Regarding claim 15, Lee teaches an apparatus of claim 14, wherein the means for performing synchronization includes means for establishing chip and frame timing for the downlink physical channels, and means for transmitting a power control preamble for a predetermined number of radio frames (0075).

Regarding claim 16, Lee teaches a method of transmitting signaling and data in a wireless communication network, comprising:

- receiving a first message from the wireless network for reconfiguration of uplink and downlink physical channels for a physical layer (0076);

- performing synchronization to establish the downlink physical channels (0081);

- sending a second message to the wireless network indicating completion of the synchronization for the downlink physical channels (0081);

- receiving an indication that the uplink physical channels have been established by the wireless

network (0082); and

delaying transmission of signaling and data on the uplink physical channels, except for transmission of designated messages, until the indication is received from the wireless network (0081).

Regarding claim 18, Lee teaches a base station in a wireless communication network, comprising:

a transmit data processor operative to send a first message to a wireless device for reconfiguration of uplink and downlink physical channels for a physical layer (0034)

a controller operative to perform synchronization to establish the uplink physical channels (0081); and

a receive data processor operative to receive a second message from the wireless device indicating that the downlink physical channels have been established by the wireless device, and wherein the controller is operative to delay transmission of signaling and data on the downlink physical channels, except for transmission of designated messages, until the second message is received from the wireless network (0079).

Regarding claim 19, Lee teaches a base station of claim 18, wherein the controller is operative to, for the synchronization, direct establishment of chip and frame timing for the uplink physical channels (0081).

Regarding claim 20, Lee teaches a base station of claim 18, wherein the first message is a Radio Bearer Reconfiguration message and the second message is a Radio Bearer Reconfiguration Complete message defined by 3GPP (0034).

Regarding claim 21, Lee teaches base station of claim 18, wherein the reconfiguration of the uplink and downlink physical channels is due to a change from a CELL_FACH state to a CELL_DCH state for the wireless device, the CELL_FACH and CELL_DCH states being defined by 3GPP (0034, 0036).

Regarding claim 22, Lee teaches a base station of claim 18, wherein the reconfiguration of the uplink and downlink physical channels is due to a change in configuration for the wireless device within a CELL_DCH state defined by 3GPP (0034).

Regarding claim 23, Lee teaches an apparatus in a wireless communication network, comprising: means for sending a first message to a wireless device for reconfiguration of uplink and downlink physical channels for a physical layer; means for performing synchronization to establish the uplink physical channels; means for receiving a second message from the wireless device indicating that the downlink physical channels have been established by the wireless device; and means for delaying transmission of signaling and data on the downlink physical channels, except for transmission of designated messages, until the second message is received from the wireless network (0034, 0037).

Regarding claim 24, Lee teaches a method of transmitting signaling and data in a wireless communication network, comprising:

 sending a first message to a wireless device for reconfiguration of uplink and downlink physical channels for a physical layer (0034);

 performing synchronization to establish the uplink physical channels (0037);

 receiving a second message from the wireless device indicating that the downlink physical channels have been established by the wireless device (0037); and

 delaying transmission of signaling and data on the downlink physical channels, except for transmission of designated messages, until the second message is received from the wireless network (0037, 0079).

Allowable Subject Matter

4. Claims 17, is allowed.

Regarding claim 17, the record of prior art fails to teach a wireless device in a UMTS (Universal Mobile Telecommunications System) Terrestrial Radio Access Network (UTRAN), comprising as specifically as mentioned in claim 17.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hwang (US Publication 2002/0173329 A1) disclose transmit power control TPC pattern information in radio link

Kuusinen et al. (US Publication 2005/0041581 A1) disclose Apparatus and associated method for communicating packet data in a network including a radio-link

6. Any responses to this action should be mailed to:

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naghmeh Mehrpour whose telephone number is 571-272-7913. The examiner can normally be reached on 8:00- 6:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold be reached (571) 272-7905.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NM

October 19, 2005



MELODY MEHROUPOUR
PATENT EXAMINER